IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.686 OF 2007

NRC Limited ....Petitioner.

V/s

Maharashtra State Electricity Distribution Co. Ltd. & Ors. ....Respondents.

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Ms. S. Gopal i/b Mr. Vigil Juris for the Petitioner.

CORAM: S.J. VAZIFDAR, J.
DATE : 31st January, 2007

P.C.:

1. The impugned order warrants no interference. No doubt that the Plaintiff is dominus litus. The parties who have not been impleaded, however, are alleged to be the encroachers. In fact, according to the Petitioner, they have admitted that they are the encroachers. One of the grounds on which the petitioner had contended that they ought not to be granted any electricity connection is that they are encroachers. In that event, it is desirable that they be impleaded in the suit. The same would even avoid multiplicity of proceedings.

2. The apprehension that the impleadment would create any right in favour of the encroachers is unfounded. There can be no doubt that mere impleadment of the encroachers as parties to the suit can never vest any kind of right in them either in the property or to obtain electricity connection or any other facilities.

3. In the circumstances, Writ Petition is dismissed.